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10/549,308	09/16/2005	Shinya Kimura	3377-0169PUS1	3494

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
SHOLEMAN, ABU S	

ART UNIT	PAPER NUMBER
2437	

NOTIFICATION DATE	DELIVERY MODE
05/28/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/549,308	KIMURA, SHINYA	
	Examiner	Art Unit	
	ABU SHOLEMAN	2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the request for re-consideration filed on 02/03/2009.

2. Claims 1-13 are pending. Claims 1-2, 6, 8 and 9-13 have been amended.

3. Claims objections of 5-6, 8 and 13 have been withdrawn.

4. Claims rejections 9-13 have been withdrawn.

Response to Amendment

5. Applicant's arguments, see pages 7-12, filed on 02/03/2009, with respect to the rejection(s) of claim(s) 1-2,9-10 under 35 U.S.C § 102(b) and 3-4 and 11-12 under 35 U.S.C § 103(a), have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-4, 9 and 10-12 are rejected under 35 U.S.C 103(a) as being unpatentable over Shiraishi et al (JP 2002-149497) (hereinafter Shiraishi).

As per claim 1, Shiraishi discloses " An information management apparatus for processing data containing personal data comprising" as (**Page 1, paragraph 0001, line 1-2, The privacy information protection system**): " personal data extraction means for extracting personal data from processing-object data" as (**page 2, paragraph 0005, line 1-2, An information acquisition means to acquire the privacy information as which this invention was inputted by the user and Fig on page 5, inputting data at the numeral 1 is the data extraction from the database numeral 4**) ; "unique code generation means for performing an operation using one-way function on the basis of personal data extracted by said personal data extraction means, to generate a unique code" as (**page 3, paragraph 0011, line 2-4, The coupler combines the privacy information inputted without minding the identification information and the hash processor by which has processing was carried out to generate an unique key and Fig on page 5, output from numeral 2 is the unique code of the personal data from the numeral 1**), "wherein the unique code includes privacy information data" as (**par 0011, lines 2-3, coupler combines privacy information with hashed identification information**) and "primary conversion data generation means for replacing personal data of said processing-object data with said unique code, to generate primary conversion data, wherein said generated primary conversion data includes both the processing-object data and the unique code" as (**page 3, Paragraph 0011, lines 7-9 and Fig on page 5, the data storage 4 has primary conversion data that has a hash code of identification with privacy information**).

Shiraishi does not specifically disclose that the unique code includes encrypted privacy information data".

However, prior art described in Shiraishi discloses a unique code that includes encrypted privacy information data (on page 1, par 0002, the privacy information which enciphered the privacy information inputted by the user).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Shiraishi's invention in view of the teaching of the prior art in Shiraishi by including encrypted privacy information in order to prevent that a user's privacy information is revealed to non-authorized users (par 0002).

As per claim 2, Shiraishi discloses " which further comprises storage means for storing said primary conversion data and said processing-object data on which said primary conversion data are based in a state in which these data are correlated with each other" as (**Page 3, paragraph 0011, line 7-9, The hash information and privacy information of identification information which were matched mutually are stored in the storage and Fig on page 5, numeral 4 is a storage means where primary conversion data and processing object data are stored**).

As per claim 3, Shiraishi discloses wherein said unique code generation means comprises a reference character string generation means for generating a reference character string from personal data extracted by said personal data extraction means"

as (**Fig on page 5, output from numeral 2 is the unique code of the personal data from the numeral 1**), and "operation means for operating a predetermined processing-object character string by means of said one-way function using said reference character string as a key, to generate said unique code" as (Fig on page 5, numeral 2 hash string from numeral 1 and output of numeral 2 is an unique number which is used as search key to retrieved information from numeral 4 through numeral 5).

AS per claim 4, Shiraishi discloses " wherein said operation means comprises digit number determination means for determining an operation digit number on the basis of said reference character string" as (Fig on page 5, output of numeral 2 is a digit number of reference character string of numeral 1), "processing-object character string generation means for generating an processing-object character string having said operation digit number and operation execution means for operating said processing-object character string by means of said one-way function using said reference character string as a key" as (on page 4 , par 0013, The identification information which is a search key is enciphered (hash processing) Fig on page 5, numeral 2 hash string from numeral 1 and output of numeral 2 is an unique number which is used as search key to retrieved information from numeral 4 through numeral 5.).

As per claim 9, this claim is directed to a computer readable storage medium and contains limitations that are substantially similar to those recited in claim 1 above, and accordingly is rejected for similar reasons.

As per claim 10, this claim is directed to a computer readable storage medium and contains limitations that are substantially similar to those recited in claim 2 above, and accordingly is rejected for similar reasons

As per claim 11, this claim is directed to a computer readable storage medium and contains limitations that are substantially similar to those recited in claim 3 above, and accordingly is rejected for similar reasons

As per claim 12, this claim is directed to a computer readable storage medium and contains limitations that are substantially similar to those recited in claim 4 above, and accordingly is rejected for similar reasons

8. Claims 5 and 13 are rejected under 35 U.S.C.103 (a) as being unpatentable over Shiraishi et al (JP 2002-149497) in view of Yoshida et al (JP 11045304).

As per claim 5, Shiraishi discloses "which further comprises a secondary conversion data generation means for said primary conversion data to generate

secondary conversion data, output means for outputting said secondary conversion data to other apparatus, and storage means for storing said outputted secondary conversion data, said primary conversion data on which said secondary conversion data are based, said processing-object data on which said primary conversion data are based and records of output from said output means in a state in which these data and records are correlated with one another when said secondary conversion data are outputted from said output means" as (Fig on page 5, output from coupler 3 is send to storage 4 for second conversion data in the numeral 4).

But Shiraishi fails to disclose a secondary conversion data generation means for encrypting said primary conversion data to generate secondary conversion data.

However, Yoshida discloses "which further comprises a secondary conversion data generation means for encrypting said primary conversion data to generate secondary conversion data as (**page 5, paragraph 0014-0015, line 1-8, Characterized by establishing an encryption means to encipher and to make it transmit, when transmitting the data by which central control out in the data control organization through a network and the data control organization is characterized by enciphering the data which should be out central control and making it store in concentration data storage equipment**).

Therefore, It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to modify the teaching of **Shiraishi** by including

encryption to the data control organization and make it transmit by enciphering to the concentration data storage that is taught by **Yoshida** because it would provide a secure storage of confidential data.

As per claim 13, this claim is directed to a computer readable storage medium and contains limitations that are substantially similar to those recited in claim 5 above, and accordingly is rejected for similar reasons.

9. Claims 6-8 are rejected under 35 U.S.C.103 (a) as being unpatentable over Shiraishi et al (JP 2002-149497) and further in view of Yoshida et al (JP 11045304).

As per claim 6, **Shiraishi discloses** "personal data extraction means for extracting personal data from processing-object data" as (**page 2, paragraph 0005, line 1-2, An information acquisition means to acquire the privacy information as which this invention was inputted by the user**);"unique code generation means for performing an operation using one-way function on the basis of personal data extracted by said personal data extraction means to generate a unique code" as (**page 3, paragraph 0011, line 2-4, The coupler combines the privacy information inputted without minding the identification information and the hash processor by which has processing was carried out to generate for unique key**), "wherein the unique code includes encoded privacy information data" as (**par 0011, lines 2-3, coupler**

combines privacy information with hashed identification information); “primary conversion data generation means for replacing the personal data of said processing-object data with said unique code to generate primary conversion data, wherein said generated primary conversion data includes both the processing-object data and the unique code" as (**page 3, Paragraph 0012, line 1-3, a user inputs the identification information used as the key into the privacy information in order to convert it into primary conversion , page 3, Paragraph 0011, and Fig on page 5, Output of coupler 3 is a primary conversion data which is comprise of privacy information of numeral 1 with hashing value from numeral 2. coupler coupled a hash value from numeral 2 into value comes from numeral 1**).

But Shiraishi fails to disclose “secondary conversion data generation means for encrypting said primary conversion data to generate secondary conversion data; output means for outputting said secondary conversion data to said information management apparatus through said communication line; and storage means for storing, when said secondary conversion data are outputted from said output means, said outputted secondary conversion data, said primary conversion data as an original of said secondary conversion data, said processing-object data as an original of said primary conversion data and records of the output made by said output means, in a state in which they are correlated with one another".

Yoshida discloses "secondary conversion data generation means for encrypting said primary conversion data to generate secondary conversion data; output means for outputting said secondary conversion data to said information management apparatus through said communication line; and storage means for storing, when said secondary conversion data are outputted from said output means, said outputted secondary conversion data, said primary conversion data as an original of said secondary conversion data, said processing-object data as an original of said primary conversion data and records of the output made by said output means, in a state in which they are correlated with one another " as (**page 5, paragraph 0014-0015, line 1-8, Characterized by establishing an encryption means to encipher and to make it transmit, when transmitting the data by which central control out in the data control organization through a network and the data control organization is characterized by enciphering the data which should be out central control and making it store in concentration data storage equipment**); receiving means for receiving secondary conversion data transmitted from said information management apparatus" as (**page 8, paragraph 0035, line5-6, In the medical support service establishment, in order to be able to use the received medical data with application data encryption equipment**); and "decryption means for decrypting secondary conversion data received by said receiving means to generate said primary conversion data" as(**page 8, paragraph 0035, line 5-7**, **In the medical support service establishment, in order to be able to use the received medical data with application equipment. it decrypts to the original data).**

Therefore, It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to modify the teaching of Shiraishi by including a transmission of encrypted data into storage equipment that is taught by **Yoshida** because it would provide a better protection for confidential data during transmission.

As per claim 7, Shiraishi in view of Yoshida "wherein said information center apparatus further comprises data storage means for storing primary conversion data generated by said decryption means and processes data stored in said data storage means by means of said unique code as a key" as (Shiraishi, Fig on page 5, Numeral 4 is storage for primary conversion data (output of numeral) and unique code of numeral 2).

As per claim 8, Shiraishi in view of Yoshida "wherein said information center apparatus detects data containing identical code from a plurality of data containing said unique codes stored in said data storage means" as (Shiraishi, on page 3, par [0012], when retrieval device 5 retrieves data from storage 4, It is matching or detecting a unique key in the storage 4 with unique key from numeral 2).

Examiner Notes

10. Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abu Sholeman whose telephone number is (571)270-7314. The examiner can normally be reached on Monday through Thursday 9:30 AM - 7:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 15, 2009

Abu Sholeman
Examiner
Art unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437